

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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In the Matter of the Arbitration Proceedings between

JOHN HANCOCK LIFE  
INSURANCE COMPANY,  
Petitioner,

Civil Action No.  
04-10181MLW

and

SPHERE DRAKE INSURANCE LIMITED,  
Respondent.

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**PARTIES' JOINT PROPOSED SCHEDULING ORDER PURSUANT TO  
FEBRUARY 13, 2004 COURT ORDER**

Further to this Court's Order dated February 13, 2004, John Hancock Life Insurance Company ("John Hancock") and Sphere Drake Insurance Limited ("Sphere Drake"), the parties report that they are in the process of conferring on the possibility of settlement and will report to the Court on the outcome of these discussions. Additionally, the parties hereby submit the following Proposed Scheduling Order:

1. By March 5, 2004, the parties will file with the Court the following:
  - (a) any opposition to Sphere Drake's Motion to Dismiss or in the Alternative Stay the Verified Amended Petition of John Hancock to Compel Arbitration Proceedings;
  - (b) any opposition to John Hancock's Motion to Strike Portions of Sphere Drake's Supporting Memorandum and the Affidavit of Raymond Bell;
  - (c) any motions to strike additional affidavits; and

(d) any supplemental briefing as the parties deem necessary.

2. By March 19, 2004, the parties will file with the Court their replies to the filings in (1)(a) and(b) and responses to any other March 5, 2004 filings.

3. By March 26, 2004, John Hancock will submit to Sphere Drake a proposed Joint Statement of Undisputed Facts with supporting exhibits.

4. By April 7, 2004, Sphere Drake will submit to Hancock any objections, revisions, and/or additions to the proposed Joint Statement of Facts and supporting exhibits, along with any additional supporting exhibits.

5. By April 14, 2004, the parties will file with the Court a Joint Statement of Undisputed Facts and any Statements of Material Facts In Dispute.

6. By April 28, 2004, the parties will file with the Court any responses to the Statement(s) of Material Facts in Dispute.

Respectfully submitted,

SPHERE DRAKE INSURANCE  
LIMITED

By their attorney;

JOHN HANCOCK  
LIFE INSURANCE COMPANY

By their attorney;

/s/  
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Dated: February 19, 2004